

HOUSE BILL 684
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, relative to the Tennessee higher education commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-204, is amended by deleting such section in its entirety and by substituting instead the following:

Section 49-7-204. (a) The commission shall consist of a total of ten (10) voting members. Nine (9) of the members shall be citizen members and shall be chosen as provided in subsection (b). The executive director of the state board of education shall serve as an ex officio, voting member of the commission. In addition the governor shall appoint two (2) student members who shall be nonvoting members. One (1) student member shall represent the University of Tennessee system and one (1) member shall represent the Tennessee board of regents system.

(b) Three (3) members shall be chosen from each grand division of the state. One (1) member from each grand division shall serve an initial term of one (1) year. One (1) member from each grand division shall serve an initial term of two (2) years. And one (1) member from each grand division shall serve an initial term of three (3) years. Thereafter each member shall serve a term of four (4) years. In November, 1997, the state election commission shall canvass all candidates submitted by each county election commission and shall place all of the names of the candidates from each grand division in separate ballot boxes. There shall be one (1) ballot box for each grand division. Three (3) names shall be selected from each ballot box

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representing each grand division. The first name selected shall serve an initial term of one (1) year; the second name selected shall serve an initial term of two (2) years; and the third name selected shall serve an initial term of three (3) years.

(c) Terms of the members shall begin on January 1 of the year in which they are chosen.

(d)(1) Beginning in 1998, each September every county election commission shall canvass its voter registration rolls and shall randomly select, in any manner such county election commission deems fit, one (1) candidate for membership on the Tennessee higher education commission. The names of such candidates shall be forwarded to the state election commission by October 15 of each year. Each November the state election commission shall canvass all candidates submitted by each county election commission and shall place all of the names of the candidates from each grand division in separate ballot boxes. There shall be one (1) ballot box for each grand division. One (1) name shall be selected from each ballot box

(e) Members of the commission shall receive the same reimbursement for mileage and expenses as members of the general assembly pursuant to § 3-1-106.

(f) No member may receive any compensation for service on the commission, other than mileage and expenses pursuant to subsection (f) and the commission member's usual compensation from such member's employment. A violation of this subsection is a Class C misdemeanor.

(g)(1) No employer shall discharge or in any manner discriminate against an employee for serving on the commission if such employee, prior to such service, notifies the employee's employer five (5) days in advance.

(2) Any member who is discharged, demoted, or suspended from such member's employment because such employee has taken time off to serve on the commission is entitled to reinstatement and reimbursement for lost wages and work benefits caused by such acts of the employer.

(3) Any employer who willfully refuses to rehire, or otherwise restore an employee or former employee to such employee's original status commits a Class A misdemeanor.

(h) The commission's first meeting after all members have been selected shall be upon the call of the governor.

(i) The commission thereafter shall meet at least four (4) times each year.

(j) The commission shall elect from its number a chair and such other officers as it may deem appropriate, shall determine their terms as officers of the commission, and shall adopt rules for its organization and the conduct of business.

SECTION 2. This act shall take effect September 1, 1997, the public welfare requiring it.